

RE: MUR 4646

See attached deposition for further proof of illegal campaign contributions.



IN THE FIFTEENTH JUDICIAL CIRCUIT COURT
IN AND FOR HEECH COUNTY, FLORIDA
DIVISION
CL 95 8601 AM

WICAL OF PALM BEACH, INC.,
a Florida Corporation, and
JIMMY HADZEL, individually,
Plaintiffs,
v.
P. A. LINDSAY,
Defendant.

VOL. 11

SCOTT LEWIS, 11301 LEWIS and
SCOTT LEWIS, 11301 LEWIS
TRIMMING, INC. A Florida
Corporation.

References

CONTINUED DEPOSITION OF THE WITNESS,
MARC WALKER,
TAKEN BY THE DEFENDANTS
ON THURSDAY, FEBRUARY 3, 1990

Appearances:

HOLLAND & KNISER
625 NORTH FLORISSANCE Drive
West Palm Beach, Florida 33401
Phone: (561) 835-2000
ATTORNEYS FOR CLIENTS
BY: D. CULVER SMITH III, ESQUIRE

10 SEARCH, DENNEY, SCAROLA,
HARNHART & SPURLEY, P.A.
21 2139 Palm Beach Lakes Boulevard
West Palm Beach, Florida 33401
22 Phone: (305) 834-1300
23 ATTORNEYS FOR DEFENDANTS
BY: JACK SCAROLA, ESQUIRE

ALSO PRESENT: Amy Hadie
Scott Lewis
Carol Lewis

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WITNESS	DIRECT	CROSS	REDIRECT	RECROSS
MARC WALKER				
By Mr. Scarola	77			

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1 THE CONTINUED DEPOSITION OF THE WITNESS
2 MARC WALKER, TAKEN BY THE DEFENDANTS, IN THE
3 ABOVE-STYLED CAUSE, BEFORE PAMELA GRIMALDI, RPR, COURT
4 REPORTER AND NOTARY PUBLIC, STATE OF FLORIDA AT LARGE,
5 AT 2139 PALM BEACH LAKES BOULEVARD, WEST PALM BEACH,
6 FLORIDA ON TUESDAY, FEBRUARY 3, 1998 BEGINNING AT 1:05
7 P.M., PURSUANT TO THE NOTICE HERETOFORE FILED.

THEREUPON,

10 MARC WALKER,
11 AFTER HAVING BEEN FIRST SWORN BY ME TO TELL THE WHOLE
12 TRUTH AS HEREINAFTER CERTIFIED, TESTIFIES AS FOLLOWS:
13 DIRECT EXAMINATION

14 BY MR. SCAROLA:

15 Q Would you please state your full name and
16 current residence address.

17 A Wallace Walker, 6602 Thornhill Court, Boca
18 Raton, 33433.

19 Q You're also known as Marc Walker?

[illegible]

21 Q And, Mr. Walker, how are you currently
22 employed, sir?

23 A With Nical of Palm Beach.

24 Q Have there been any changes whatsoever in
25 your job responsibilities since you were last deposed

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1 A This was shortly after [redacted] Lewis left
 2 I'd say --
 3 Q Did she tell you anything else about that?
 4 A No, I don't believe so.
 5 Q Has she told you about any other threats?
 6 A Not that I recall right now.
 7 Q Are you aware of any expressions of ill will
 8 or threats made by owners of other unrelated gardening
 9 firms, that is, firms not having anything to do with
 10 Scott Lewis?
 11 A Not that I'm aware of.
 12 Q Are you aware of any problems that Ms. Habie
 13 has had with any other gardening firms?
 14 A Not that I'm aware of.
 15 Q Are you aware of any problems that Ms. Habie
 16 has had with any other tenants at 2730 Westgate Avenue
 17 when Nical was occupying that premises?
 18 A She had a problem with a man downstairs.
 19 Q What kind of problem?
 20 A He was feeling as though he was getting
 21 caught in a battle between she and Scott and he didn't
 22 want to be involved. And it was creating some ill
 23 will.
 24 Q How was that ill will expressed?
 25 A Well, he basically told us that, you know,

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1 that he didn't want to get involved. It was the whole
 2 dumpster thing, because he was using the dumpster. It
 3 was just insane. We had gotten a dumpster, we put a
 4 lock on it, then we had to get rid of that. And he
 5 was just very irritated. They felt that they were
 6 getting involved in something they had nothing to do
 7 with. And he had put in a complaint -- he had
 8 supposedly put in a complaint against Nical for some
 9 code violations. And then after he went out of
 10 business he actually called and told Ms. Habie and
 11 actually told me one day on the phone that he was
 12 sorry for everything that had happened; that Scott had
 13 put him up to it.
 14 Q What was this man's name?
 15 A Jeff Heard or Hurt, something like that.
 16 Q And he got angry at Ms. Habie because he was
 17 denied access to the dumpster when you put a lock on
 18 the dumpster; is that right?
 19 A It wasn't so much anger. It was more I
 20 guess frustration, being caught in the middle of
 21 something that he had nothing to do with.
 22 Q And he did file code violation complaints
 23 against Ms. Habie?
 24 A Yes.
 25 Q Are you aware of Ms. Habie having hired a

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1 manager for the landscape company who gave notice at
 2 his then-current job that he would be leaving to
 3 accept employment with Nical, only to have Ms. Habie
 4 then rescind the job offer that she had made?
 5 MR. SMITH: Object to the form.
 6 BY MR. SCAROLA:
 7 Q Do you have any knowledge of any of that
 8 going on?
 9 A No.
 10 Q Do you know a former employee of Nical's by
 11 the name of Reynaldo Garcia?
 12 A Yes.
 13 Q And was Mr. Garcia fired?
 14 A I believe that Reynaldo just never came back
 15 to work. I am not sure if he was fired or not.
 16 Q Do you know whether there were any
 17 circumstances that gave rise to any ill will between
 18 Mr. Garcia and Ms. Habie?
 19 A There wasn't ill will. Reynaldo got into
 20 trouble and was very embarrassed, and I believe he
 21 left on his own.
 22 Q The trouble that Reynaldo got into he got
 23 into while he was supposed to be on the job for Nical;
 24 right?
 25 A Yes.

1 Q He [redacted] asked for soliciting a prostitute?
 2 A Yes.
 3 Q And was found to be in possession of drugs?
 4 A Yes.
 5 Q While he was driving a truck that had Scott
 6 Lewis's name on it, right?
 7 A I don't know what truck he was driving.
 8 Q He was driving a Nical truck.
 9 MR. SMITH: Is that a question?
 10 BY MR. SCAROLA:
 11 Q Is that correct?
 12 A He was driving --
 13 MR. SMITH: Asked and answered.
 14 Go ahead.
 15 THE WITNESS: As I said, I don't know if he
 16 was driving a Nical truck with a company name on
 17 it. But it was a Nical truck.
 18 BY MR. SCAROLA:
 19 Q What about Juan Diaz? Do you know Juan
 20 Diaz?
 21 A Yes.
 22 Q Was he employed by Nical?
 23 A Yes.
 24 Q Was he fired?
 25 A Yes.

1 Q Was he fired under circumstances that
 2 generated any ill will between Mr. Diaz and Nical?
 3 MR. SMITH: Object to the form.
 4 THE WITNESS: Excuse me. Juan Diaz was not
 5 fired. He quit.
 6 BY MR. SCAROLA:
 7 Q Were the circumstances of his severing his
 8 business relationship with Nical such that you believe
 9 any ill will existed between Mr. Diaz and Nical?
 10 MR. SMITH: Object to the form.
 11 THE WITNESS: I couldn't answer that. I
 12 have not spoken to him.
 13 BY MR. SCAROLA:
 14 Q Are you aware of Ms. Habie filing a police
 15 report against an individual by the name of Will
 16 Hocadel?
 17 A Yes.
 18 Q What are the circumstances concerning that
 19 incident as you understand them?
 20 A He was working with the car company
 21 downstairs and was in the process of helping us to buy
 22 a truck.
 23 Q And what happened?
 24 A He asked for a deposit, and when he got it,
 25 never came back.

1 Q And what happened?
 2 A She filed a police report against him and
 3 she later found out that he supposedly had a drug
 4 problem.
 5 Q And then what happened?
 6 A I have not heard anything since.
 7 Q Have you ever made a campaign contribution
 8 to Jane Harmon?
 9 A Yes.
 10 Q And who is Jane Harmon?
 11 A She is a politician in New York. ← ?
 12 Q And you made a contribution to support her
 13 election effort?
 14 A Yes.
 15 Q For what office?
 16 A I don't recall.
 17 Q Do you know Jane Harmon personally?
 18 A No.
 19 MR. SMITH: Excuse me -- go ahead.
 20 BY MR. SCAROLA:
 21 Q Have you ever lived in the jurisdiction for
 22 which Jane Harmon provided representation?
 23 MR. SMITH: Objection. It strikes me that
 24 this is so far irrelevant that it is harassing
 25 this witness. Can you perhaps enlighten me?